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OCT 21 2005

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3723**PATENT APPLICATION
Docket No. 9793-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Patrick J. Whelan

Confirmation No. 8251

Serial No. 10/682,258

Examiner: Lee D. Wilson

Filed: October 8, 2003

Group Art Unit: 3723

For: PRYING TOOL WITH POSITIONABLE HANDLE

Date: October 21, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR 1.116**

Responsive to the Final Office Action, Paper No. 12, dated July 21, 2005, please amend the application as follows.

- Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.
- Remarks begin on page 6 of this paper.

I hereby certify that the attached Amendment AF and RCE Transmittal is being transmitted to Mail Stop RCE, U.S. Patent and Trademark Office via facsimile number 571-273-8300, on October 21, 2005.

Kim M. Ramsey
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